

Special Magistrate WaterWorks 2011 Hearing
City Commission Meeting Room
Judge Floyd Hull, Presiding
November 23, 2009
10:00 A.M. – 10:43 A.M.

Staff Present:

Brian McKelligett, Clerk of the Special Magistrate, Supervisor
Erin Peck, Secretary, WaterWorks 2011 Special Magistrate
Heather Steyn, WaterWorks 2011 Public Involvement Coordinator
Traci Pollock, WaterWorks 2011 Administrative Manager

Respondents and Witnesses:

CE09041125: Pablo Zuniga, owner
CE09040819: Maite Echeandia, owner
CE09041110: Marietta O'Neal, owner
CE09020966: Peter Aiello, owner
CE08101766: Dwayne Thomas, owner
CE08101802: Maranda Harris, owner's daughter
CE08100972; CE08100974: Lucy Harris, owner
CE09020985: Scottie Gallagher, owner
CE09021000: Brain Kowal, bank attorney
CE09040655: Ann Taylor, owner
CE09040600: Karl Charles, owner
CE09040677: Charlie Padilla, owner

NOTE: All individuals who presented information to the Special Magistrate during these proceedings affirmed they would speak only the truth.

The meeting was called to order at 10:00 A.M.

Case: CE09040655

Ann Taylor
2717 Southwest 9 Street

This case was first heard on 5/18/09 to comply by 8/16/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$700 and the City was recommending no fine be imposed.

Judge Hull imposed no fine.

Case: CE08100972

Lucy Haas, 1/2 Int
1671 Southwest 22 Avenue

This case was first heard on 1/26/09 to comply by 4/26/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$21,000 fine, which would continue to accrue until the property complied.

Ms. Lucy Haas, owner, said she was in a three-month trial period with her mortgage company.

Judge Hull imposed the \$21,000 fine, which would continue to accrue until the property complied.

Case: CE08100974

Lucy Haas
1720 Southwest 22 Avenue

This case was first heard on 1/26/09 to comply by 4/26/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$21,000 fine, which would continue to accrue until the property complied.

Ms. Lucy Haas, owner, stated the house was in foreclosure and she had a contract for a short sale on the property. She stated the prospective buyer was willing to make the sewer connection. Ms. Haas presented a copy of the sale contract to Judge Hull and said the buyer had already been approved for a \$160,000 mortgage.

Inspector Steyn stated the original connection date was August 2008 and the owner had been given an extension in January 2009.

Judge Hull imposed the \$21,000 fine, which would continue to accrue until the property complied.

Case: CE08101766

Dwayne & Mary Thomas
1615 Northwest 16 Street

This case was first heard on 1/26/09 to comply by 3/28/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$22,000 and the City was requesting imposition of a \$1,310 fine

Mr. Dwayne Thomas, owner, said he had not realized he needed to call for a final inspection. He stated he was only working 22 hours per week right now.

Judge Hull imposed the \$1,310 fine.

Case: CE09020966

Peter John Aiello
1458 Southwest 19 Avenue

This case was first heard on 4/27/09 to comply by 7/26/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,800 fine, which would continue to accrue until the property complied.

Mr. Peter Aiello, owner, stated the property was in foreclosure and he was trying to negotiate with the banks. He informed Judge Hull that he was on disability and was a "single dad in distress." Mr. Aiello said he hoped to be able to comply within 60 days. Inspector Steyn recommended a 92-day extension to determine the progress Mr. Aiello had made with his mortgage negotiations.

Judge Hull granted a 92-day extension, during which time no fines would accrue.

Case: CE09041110

Marietta O'Neal
1229 Southwest 29 Terrace

This case was first heard on 8/24/09 to comply by 9/23/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,000 fine, which would continue to accrue until the property complied.

Ms. Marietta O'Neal, owner, said the plumber who had done the work had done it incorrectly and the work had failed inspection.

Inspector Steyn recommended a 65-day extension.

Judge Hull granted a 65-day extension, during which time no fines would accrue.

Case: CE09021000

Mauricio Angulo
2321 Southwest 16 Court

This case was first heard on 4/27/09 to comply by 5/27/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$17,900 fine, which would continue to accrue until the property complied.

Mr. Brain Kowal, bank attorney, reported the bank had agreed to a reduced payment plan with the homeowner and the foreclosure action had ceased; the bank did not have title to the property.

Judge Hull imposed the \$17,900 fine, which would continue to accrue until the property complied.

Case: CE08101802

Jeffrey A Harris, 1/2 Interest
Kay A Harris
1641 Northwest 18 Avenue

This case was first heard on 2/26/09 to comply by 5/24/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of an \$18,200 fine, which would continue to accrue until the property complied.

Ms. Maranda Harris, the owner's daughter, said they were getting a grant for the connection fee and requested an extension. She presented paperwork regarding the grant to Inspector Steyn.

Inspector Steyn recommended a 92-day extension.

Judge Hull granted a 92-day extension, during which time no fines would accrue.

Case: CE09040600

Karl H Charles
2800 Southwest 7 Street

This case was first heard on 6/15/09 to comply by 9/13/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$7,000 fine, which would continue to accrue until the property complied.

Mr. Karl Charles, owner, requested an extension. He had already connected and needed to empty the septic tank.

Inspector Steyn recommended a 62-day extension.

Judge Hull granted a 62-day extension.

Case: CE09040677

Charlie Padilla
2873 Southwest 10 Street

This case was first heard on 5/18/09 to comply by 6/17/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$7,000 fine, which would continue to accrue until the property complied.

Mr. Charles Padilla, owner, said he had applied for a grant and requested additional time to comply.

Inspector Steyn said she had received no instructions regarding this address and a grant. She recommended imposition of the fines.

Judge Hull imposed the \$7,000 fine, which would continue to accrue until the property complied.

Case: CE09040819

Maite Echeandia
1225 Southwest 28 Way

This case was first heard on 8/24/09 to comply by 9/23/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,000 fine, which would continue to accrue until the property complied.

Ms. Maite Echeandia, said she was unaware that a fine was accruing and she had tried unsuccessfully several times to contact Inspector Steyn. Ms. Echeandia said she was struggling and requested an extension.

Inspector Steyn recommended a 92-day extension.

Judge Hull granted a 92-day extension, during which time no fines would accrue.

Case: CE09041125

Pablo Zuniga
1174 Southwest 30 Avenue

This case was first heard on 8/24/09 to comply by 9/23/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,000 fine, which would continue to accrue until the property complied.

Mr. Paul Zuniga, owner, stated he did not speak good English, and Ms. Maite Echeandia offered to translate for him. Mr. Zuniga stated he had been laid off and requested an extension to save the money to have the work done.

Inspector Steyn recommended a 92-day extension.

Judge Hull granted a 92-day extension, during which time no fines would accrue.

Case: CE09040810

Jean & Amilia Petion
640 Southwest 28 Drive

This case was first heard on 8/24/09 to comply by 9/23/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,000 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$6,000 fine, which would continue to accrue until the property complied.

Case: CE09040816

Michele Keaton & John Walden
811 Southwest 28 Avenue

This case was first heard on 8/24/09 to comply by 9/23/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,000 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$6,000 fine, which would continue to accrue until the property complied.

Case: CE09041118

Keith Gayle
941 Southwest 30 Avenue

This case was first heard on 8/24/09 to comply by 9/23/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,000 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$6,000 fine, which would continue to accrue until the property complied.

Case: CE09041120

Yvenet Marcelus
1020 Southwest 30 Avenue

This case was first heard on 8/24/09 to comply by 9/23/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,000 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$6,000 fine, which would continue to accrue until the property complied.

Case: CE08101047

12TH LLC
1415 Southwest 24 Court

This case was first heard on 11/24/08 to comply by 2/22/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of an \$18,400 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$18,400 fine, which would continue to accrue until the property complied.

Case: CE08101061

12 LLC
1512 Southwest 25 Street

This case was first heard on 11/24/08 to comply by 2/22/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of an \$18,400 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$18,400 fine, which would continue to accrue until the property complied.

Case: CE08101804

Goodman Family Trust
Oscar A Castillo, Trstee
1647 Northwest 15 Terrace

This case was first heard on 3/23/09 to comply by 4/22/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$12,300 and the City was recommending no fine be imposed.

Judge Hull imposed no fine.

Case: CE08101825

Avon Robertson
1736 Northwest 18 Street

This case was first heard on 1/26/09 to comply by 4/26/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$21,000 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$21,000 fine, which would continue to accrue until the property complied.

Case: CE09020983

John Mckenney
1800 Southwest 23 Terrace
Inspector Steyn

This case was first heard on 4/27/09 to comply by 5/27/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$500 and the City was recommending no fine be imposed.

Judge Hull imposed no fine.

Case: CE08101884

Demika Levy
1834 Lauderdale Manors Drive

This case was first heard on 1/26/09 to comply by 4/26/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of an \$11,900 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$11,900 fine, which would continue to accrue until the property complied.

Case: CE08101002

Alida & Solomon T Rens
2265 Southwest 15 Street

This case was first heard on 1/26/09 to comply by 2/25/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$27,000 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$27,000 fine, which would continue to accrue until the property complied.

Case: CE09040587

Valecia A Williams Cespedes
2732 Southwest 7 Street

The City was requesting that the final order dated 5/18/09 be vacated.

Judge Hull vacated the final order dated 5/18/09.

Case: CE09040603

Richard & Saraswati Devi Bachan
2817 Southwest 8 Street

This case was first heard on 6/15/09 to comply by 7/30/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of an \$11,500 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$11,500 fine, which would continue to accrue until the property complied.

Case: CE09040664

Alba E & Guillermo E Vasquez
2830 Southwest 9 Street

This case was first heard on 6/15/09 to comply by 7/30/09. Violations were as noted in the agenda. The property was not complied, and the City was requesting imposition of an \$11,500 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$11,500 fine, which would continue to accrue until the property complied.

Case: CE09040682

Russell W Fraser
2920 Southwest 11 Street

This case was first heard on 6/15/09 to comply by 7/30/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of an \$11,50 fine, which would continue to accrue until the property complied.

Judge Hull imposed the \$11,500 fine, which would continue to accrue until the property complied.

Cases Withdrawn

Mr. McKelligett announced that the below listed cases had been withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

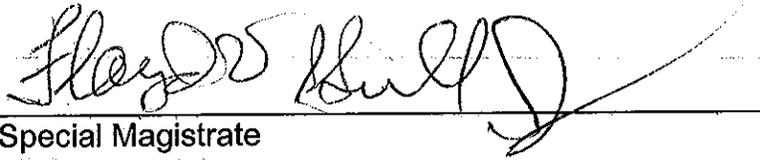
CE09020985

Cases Closed

Mr. McKelligett announced that the below listed cases had been closed. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE09041112

There being no further business, the hearing was adjourned at **10:43 a.m.**


Special Magistrate

ATTEST:


Clerk, Special Magistrate

Minutes prepared by J. Opperlee, Prototype Services